

Wisconsin State Telecommunications Association, Inc.

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Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: ET Docket No. 04-186, Unlicensed Operation in the TV Broadcast Bands

I submit the following comments on behalf of the membership of the ISP Division of the Wisconsin State Telecommunications Association ("WSTA ISP Division").¹

The WSTA ISP Division is comprised of a number of diverse companies, including independent Internet Service Providers (ISPs) that provide wireless service in both urban and rural areas in Wisconsin. Wisconsin's independent ISPs, like others throughout the country, are interested in expanding their reach and providing the best service they can to their customers; allowing for unlicensed use of the 700 MHz spectrum will further this goal.

Unlicensed spectrum is becoming a limited commodity as frequencies become more cluttered- a significant problem for companies that use unlicensed spectrum to provide services. In rural areas (of which there are plenty in Wisconsin), other geographic concerns limit the ability to provide advanced services to residents. Additionally, local zoning rules and tower placement requirements complicate the ability to provide ubiquitous service. Reserving at least a portion of the 700 MHz spectrum for unlicensed use will allow ISPs to continue to provide reliable and inexpensive broadband access to residents and businesses that cannot currently access such services.

¹ The WSTA is generally divided into three divisions; the Incumbent Local Exchange Carrier Division ("ILEC Division"), the Wireless Division and the ISP Division. There are currently 32 members in the WSTA ISP Division. The views expressed in this letter are those of the ISP Division and do not necessarily reflect the views of other WSTA members.

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To be sure, the WSTA ISP Division members are not requesting the removal of competition from the marketplace, but rather seeking to maintain their status as competitive alternatives for advanced telecommunications services. In fact, recent regulatory decisions have limited access to cable and DSL infrastructure, putting independent ISPs at a competitive disadvantage. Engaging in a public auction of the entire 700 MHz spectrum will only exacerbate the problems facing independent ISPs across the country. By allowing this spectrum to be unlicensed, the Federal Communications Commission (FCC) will pave the way for advances that will fill the needs of consumers and encourage different (and perhaps better) technologies.

The WSTA ISP Division is cognizant of the fact that proposals are currently pending before Congress that could impact the FCC's ability to fully decide this issue. However, to the extent the FCC has any decision-making authority with respect to the allocation of the 700 MHz spectrum, the WSTA ISP Division urges the FCC to reserve at least a portion of this spectrum for unlicensed use.

Thank you for your attention to this important matter. If you have any questions, please contact me at (608) 256-8866, ext. 23 or brybarik@wsta.info.

Respectfully submitted,

/s/

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